

AB:MEF

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

JUAN SORIANO MARTINEZ,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

Daniel Donahue, being duly sworn, deposes and states that he is a Special Agent with the Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

On or about April 22, 2019, within the Eastern District of New York and elsewhere, the defendant JUAN SORIANO MARTINEZ did knowingly, intentionally and unlawfully import into the United States from a place outside thereof, heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960)

On or about April 22, 2019, within the Eastern District of New York and elsewhere, the defendant JUAN SORIANO MARTINEZ did knowingly, intentionally and unlawfully import into the United States from a place outside thereof, cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960)

COMPLAINT

(21 U.S.C. §§ 952(a) and 960)

Case No. 19 MJ 386

The source of your deponent's information and the grounds for his beliefs are as follows:¹

1. On or about April 22, 2019, the defendant JUAN SORIANO MARTINEZ arrived at John F. Kennedy International Airport ("JFK") in Queens, New York aboard Aeromexico Flight number AM 408 from Mexico City, Mexico. MARTINEZ's plane ticket was purchased at a travel agency in New Jersey, and paid for with cash.

2. At JFK, the defendant JUAN SORIANO MARTINEZ was identified by officers from U.S. Customs and Border Protection ("CBP") as a food courier. The defendant MARTINEZ was referred to an Agricultural Specialist with CBP (the "CBP Agricultural Specialist") for further inspection. The CBP Agricultural Specialist asked MARTINEZ if he had any prohibited items in his bags, and MARTINEZ stated that he did not. The CBP Agricultural Specialist subjected MARTINEZ's bags to an x-ray exam. The CBP Agricultural Specialist noticed an anomaly in at least one of the duffle bags, which was red (the "Red Bag"). The CBP Agricultural Specialist removed what appeared to be black cylindrical packages rolled in ribbon and x-rayed them again, confirming the existence of an anomaly.

3. CBP officers escorted the defendant MARTINEZ to a private search room in order to conduct a baggage examination. When a CBP Officer probed the black cylindrical packages wrapped in ribbon, a brown powdery substance came out. The brown powdery substance was field-tested, and that test was positive for heroin.

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

4. Thereafter, the CBP Officer conducted a search of another one of the defendant's duffle bags, which was blue (the "Blue Bag"). Upon opening the Blue Bag, the CBP Officer identified what appeared to be multiple large rolls of metallic wrapping paper. The CBP Officer opened the rolls, revealing PVC pipes wrapped in black tape. When the CBP Officer probed one of the pipes, a white powdery substance came out. The white powdery substance was field-tested, and that test was positive for cocaine. The defendant was placed under arrest.

5. After the defendant JUAN SORIANO MARTINEZ was placed under arrest, agents read him his Miranda rights in Spanish, which he acknowledged orally and in writing. The defendant agreed to waive those rights. Thereafter, the defendant MARTINEZ stated in sum and substance that he was a food courier and he traveled bi-weekly to the United States as part of his employment. Further, MARTINEZ stated that on April 22, 2019, prior to departing from Mexico for the United States, he accepted the Red and Blue Bags at the airport in Mexico, and he did not look inside them prior to his departure.

6. In total gross weight, law enforcement recovered approximately 1537.8 grams of heroin from the Red Bag and approximately 6489.8 grams of cocaine from the Blue Bag.

WHEREFORE, your deponent respectfully requests that the defendant JUAN SORIANO MARTINEZ be dealt with according to law.



Daniel Donahue
Special Agent
Homeland Security Investigations

Sworn to me before this
23rd day of April, 2019





THE HONORABLE ROBERT M. LEVY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK